

**UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

EDWARD LEE CANNON II,  
Defendant.

No. 3:08-cr-00059-TMB-DMS

**REPORT AND  
RECOMMENDATION<sup>1</sup> TO GRANT  
DEFENDANT'S MOTION TO  
MODIFY CONDITIONS OF  
SUPERVISED RELEASE  
[Dkt. 71]**

Defendant Edward Cannon requests that his conditions of supervised released be modified to include permission for medical marijuana use to treat diagnosed chronic pain, anorexia, and insomnia (Dkt. 71 at 1). The U.S. probation officer assigned to Cannon's case supports the modification (Dkt. 80 at 5). The government opposes such modification (Dkt. 73). In the District of Alaska, courts have routinely granted similar allowances for use of medical marijuana by defendants on supervised release. *See United States v. Chenery*, 3:07-cr-00128-TMB, Dkt. 210 at 5; *United States v. Davis*, 3:12-cr-00085-SLG, Dkt. 112; *United States v. Southern*, 3:18-cr-00086-SLG, Dkt. 6.

For the foregoing reasons, the Court recommends the District Court GRANT Cannon's Motion to Modify Conditions of Supervised Release at docket 71, ordering that Cannon's conditions of supervised released be modified to allow him to use medical marijuana provided

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<sup>1</sup> This report and recommendation is being issued as a final report and recommendation. Pursuant to Fed. R. Crim. P. 59(b)(3), any objections will be considered by the District Court Judge who will accept, reject, or modify the recommendation, or resubmit the matter to the Magistrate Judge for additional consideration and recommendations.

that he follows all applicable Alaska state laws regarding the use and possession of medical marijuana.

DATED this 18<sup>th</sup> day of March, 2021 at Anchorage, Alaska.

/s/Deborah M. Smith  
CHIEF U.S. MAGISTRATE JUDGE